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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/976,928

10/11/2001

Wenbo Mao

2053

7590

05/19/2005

Wei Te Joseph Chung
Foxconn International, Inc.
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EXAMINER

KRAMER, JAMES A

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/976,928

Applicant(s)

MAO, WENBO

Examiner

James A. Kramer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukushima et al. in view of Shavit et al.

Fukushima teaches an order management system and method considering budget limit.

Specifically, Fukushima teaches an order management system for automatically placing an order with one of a plurality of suppliers when order information is input by one of a plurality of orderers, the order management system comprising:

- a terminal unit provided to each of the orderers, the terminal unit including means for inputting the order information, the order information being transmitted to a communication network; and
- a central management unit receiving the order information from the terminal unit through the communication network, the central management unit including collection processing means for managing order history information and section information with respect to each orderer, the collection processing means calculating a total cost of previous orders based on the order history information of one of the orderers sending the order information and order information sent from the one of the orderers, the central management unit also including order permission means for permitting an execution of an ordering process when the calculated total of the previously ordered costs is within a budget of the orderer,

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the budget being included in the section information (column 1; line 51 – column 2; line 8).

Examiner notes that the central management unit of Fukushima represents Applicant's Host.

Fukushima also teaches when the summed cost of previously ordered supplies exceeds the budget 82d of the department or section, the collection processing unit 76 sends, in step S8, an error message to the personal computer 1a of the terminal unit A. Then, the personal computer displays, in step S9, the error message, and the routine is ended. Thus, it is prevented that a particular department or section places an order by exceeding its budget (column 7; lines 34-44). Examiner notes that this teaching represents Applicant's alarm system.

Examiner further notes that Fukushima's teaching of calculating a budget history represents automatically calculating a budget report. In addition, since the system tracks and monitors all purchase requests (expenses), the system also automatically creates an expense report. The same holds true for an excess budget report.

Fukushima et al. does not teach reprocessing the purchase requisition if the purchase requisition exceeds the current budget balance of the said one department.

Shavit et al. teaches an iterative process of quotation, in which a buyer modifies a request and retransmits the RFQ several times before a final order is processed. Examiner notes that the buyer of Shavit et al. modifies the request and retransmits the RFQ in an iterative manner because the original bid did not meet his/her conditions.

Examiner submits the definition of iteration from the *Dictionary of Business Terms*, "process of repeating a particular action. An independent iteration occurs if the repetitions stop

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when a particular condition is met.” Examiner relies on this as information that would have been known by one of ordinary skill in the art at the time of the invention.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Fukushima et al. by making it an iterative process, wherein a user could modify his/her initial order and retransmit it as taught by Shavit et al. One of ordinary skill in the art would have been motivated to combine the references in order to meet the particular condition of Fukushima et al (i.e. getting the cost of the order within the department’s budget).

Response to Arguments

Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Kramer whose telephone number is (571) 272 6783. The examiner can normally be reached on Monday - Friday (8AM - 5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (571) 272 6777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James A. Kramer
Examiner
Art Unit 3627

jak


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